

The following regulation, approved by the Court Reporters Board on 11/29/01, is set for publication by the Secretary of States' office and will become effective on or after July 19, 2003.

Add section 2474 to Title 16, Division 24, Article 8 of the California Code of Regulations:

§ 2474 Prohibition on Preparation of Deposition Summaries

(a) As used in this section, the term "deposition summary" means information dictated or written by an attorney and reported and/or transcribed by the court reporter after the conclusion of a deposition that includes one or more of the following:

- 1) A summary of the information, facts, or testimony produced at the deposition;
- 2) The attorney's analysis or evaluation of the witness or witnesses;
- 3) The attorney's evaluation of the impact of the deposition on the merits of the case; or
- 4) The attorney's recommendation for further action or strategies to be employed in the case.

(b) It shall be considered unprofessional conduct as that term is used in Section 8025, subdivision (d), of the Business & Professions Code for any certified shorthand court reporter licensed by the Board to transcribe or assist in the preparation of a deposition summary after the conclusion of a deposition conducted by that reporter pursuant to Section 2025(k) of the Code of Civil Procedure.